IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

OP.No. 14601 of 2003(L)

PETITIONER:

SHYAMA SUDARSAN.M., ALAKANANDA,
AMMACHIVEEDU, KAIKULANGARA NORTH, KOLLAM.

BY ADV. SRI.K.SUBASH CHANDRA BOSE

RESPONDENTS:

THE DISTRICT ASSESSMENT OFFICER,
(DISTRICT LABOUR OFFICER) (AUTHORITY UNDER
THE BUILDINGS AND OTHER CONSTRUCTION WORKERS'
WELFARE CESS ACT, 1996), KOLLAM.

BY GOVERNMENT PLEADER SRI.SHYAMKUMAR

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 07/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.24479/2003 IN O.P.NO.14601/2003

DISMISSED.

7-2-2007 SD/- KURIAN JOSEPH, JUDGE

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. TRUE COPY OF ASSESSMENT NOTICE DATED 28-8-2002

EXT.P2. TRUE COPY OF REPRESENTATION DATED 3-9-02 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT

EXT.P3. TRUE COPY OF ORDER DT. 18-9-02 ISSUED BY THE RESPONDENT.

EXT.P4. TRUE COPY OF SHOW CAUSE NOTICE DT. 7-4-2003 ISSUED BY RESPONDENT.

EXT.P5. TRUE COPY OF EXPLANATION AND REQUEST TO REVIEW THE ASSESSMENT ORDER DATED 12-4-2003 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT.

/ TRUE COPY /

KURIAN JOSEPH, J.

O.P.No.14601 Of 2003

Dated this the 7th day of February, 2007

JUDGMENT

Petitioner is essentially aggrieved by Ext.P3 proceedings of assessment under the Building and Other Construction Workers Welfare Cess Act, 1996. Though several contentions are taken by the petitioner, since the petitioner has an effective remedy of appeal and since the appellate authority is empowered to look into all the grievances raised by the petitioners it is not necessary to go into the merits of the case. Accordingly the writ petition is disposed of as follows. In the event of the petitioner filing an appeal within a period of one month from today the same shall be considered by the appellate authority with notice to the petitioner and appropriate orders in accordance with law shall be passed within a period of another four months.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.14601/2003

JUDGMENT

7th February, 2007